IN RE: PETITION FOR ADMIN. VARIANCE

SW/S Ansari Lane, 880' N of the c/l of

Carroll Manor Road (13810 Ansari Lane) 10th Election District 6th Councilmanic District

Stephen B. Churchman, et ux Petitioners

- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- ^k Case No. 99-312-A

*

* * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Stephen B. and Lisa A. Churchman. The Petitioners seek relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 20 feet in lieu of the maximum allowed 15 feet for a proposed 26' x 36' garage. The subject property and relief sought are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore,

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strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County

Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested

should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore

County this 18th day of March, 1999 that the Petition for Administrative Variance seeking

relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an

accessory structure height of 20 feet in lieu of the maximum permitted 15 feet for a proposed

detached 26' x 36' garage, in accordance with Petitioner's Exhibit 1, be and is hereby

GRANTED, subject, however, to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed,

the relief granted herein shall be rescinded.

2) The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or

sleeping quarters, and no kitchen or bathroom facilities.

3) When applying for a building permit, the site plan and landscaping plan filed

must reference this case and set forth and address the restrictions of this Order.

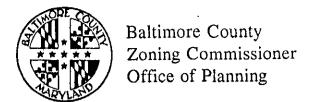
Deputy Zoning Commissioner

for Baltimore County

TMK:bis

ORDER RECEIVED/GOR FILING

2



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

March 18, 1999

Mr. & Mrs. Stephen B. Churchman 13810 Ansari Lane Baldwin, Maryland 21013

RE: PETITION FOR ADMINISTRATIVE VARIANCE

SW/S Ansari Lane, 880' N of the c/l of Carroll Manor Road

(13810 Ansari Lane)

10th Election District – 6th Councilmanic District

Stephen B. Churchman, et ux - Petitioners

Case No. 99-312-A

Dear Mr. & Mrs. Churchman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

Muthy llo trow

for Baltimore County

TMK:bjs

co.

People's Counsel; Case File



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 13810 ANSARI Ca.

		which is presently zoned	15C-5
owner(s) of the property situate in Bali made a part hereof, hereby petition for	timore County and which a Variance from Section	MODIS DUEN 10 PE	attached hereto and
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PERMITTED 15 FT. (F.	OR A GARAGE) .	
•			
of the zoning regulations of Baltimore of this petition form.	County, to the zoning la	w of Baltimore County, for the reasons in	ndicated on the back
Property is to be posted and advertise I, or we, agree to pay expenses of above regulations and restrictions of Baltimore C	Variance, advertising, pos	iting, etc. and further agree to and are to be l	bounded by the zoning
		I/We do solemnly declare and affirm, uno perjury, that I/we are the legal owner(s) or is the subject of this Petition.	der the penalties of of the property which
Contract Purchaser/Lessee:		Legal Owner(s):	
		STEPHEN B. CHURC	(1-1-1)
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		Stephen B. Church	m
Signature		Signatule LISA A CHURCU	1
Address	Telephone No.	Namey- Type or Print	YMAN
		x Lisa a Chil	
City State	Zip Code	Signature	110 917 1.00
Attorney For Petitioner:		138/0 ansari La.	4/0 8/7 40 3 Telephone No.
		· RALANINO MAD	21013
Name - Type or Print		City State	
		Representative to be Contacted	<u>d:</u>
Signature	•		
Company		Name	
Aldress	Telephone No.	Address	Telephone No.
		1	
City State	Zin Code`	City	Zin Code

Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning

Estimated Posting Date __

Zoning Commissioner of Baltimore County

day of that the subject n that the subject n that the subject n that the property be reposted.

ASE NO. 99-312-A

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

Zip Code

That the Affiant(s) does/do presently reside at

That based upon personal knowledge, the following are Variance at the above address (indicate hardship or pra-	e the facts upon which I/we base the request for an Administrative ctical difficulty):
(SEE ATTACHED)	
That the Affiant(s) acknowledge(s) that if a formal deladvertising fee and may be required to provide additiona	mand is filed, Affiant(s) will be required to pay a reposting and l information.
x Steph B. Church	x Fren 9 Chilm
Signature	Signature
STEPHEN B. CHURCHMAN	Name - Type or Print
	7.
STATE OF MARYLAND, COUNTY OF BALTIMORE, to	wit:
I HEREBY CERTIFY, this <u>3RD</u> day of <u>FEBRUARY</u> of Maryland, in and for the County aforesaid, personally a	, 1999 , before me, a Notary Public of the State
STEPHEN B. CHURCHMAN AND LISA A. CHU	RCHMAN
law that the matters and facts hereinabove set forth are t	dentified to me as such Affiant(s), and made oath in due form of rue and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	
FEBRUARY 3, 1999	Jean Elaine Vio 510l
Date	Notary Public
,	My Commission Expires AUGUST 1, 2001
REV 09 15 98	•

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	13810 ANSARI La.			
	Address Saldw	in 1	nd.	21013
	City		State	Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardsh	owing are the fact ip or practical diff	ts upon which I/w ficulty):	e base the req	uest for an Administrative
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STEPHES B, CHURCHMAN Name - Type of Print	5	LISA / Name - Type or Prin	7 CHUNC	um and
STATE OF MARYLAND, COUNTY OF BALTIN	IODE to with		_	
HEREBY CERTIFY, this <u>3RD</u> day of <u>FEB</u> of Maryland, in and for the County aforesaid, per	RUARY	, <u>1999</u>	, before me, a N	Notary Public of the State
STEPHEN B. CHURCHMAN AND LISA	A. CHURCHMAN	Ŋ		
the Affiant(s) herein, personally known or satisf law that the matters and facts hereinabove set for	factorily identified orth are true and	to me as such A correct to the bes	Affiant(s), and not of his/her/their	nade oath in due form of knowledge and belief.
AS WITNESS my hand and Notarial Seal				
FEBRUARY 3, 1999 Date	Notary I	Jean Ela	une Koz	nl
		nmission Expires		



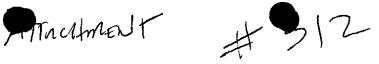
REV 9115198

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

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	tor the property	• • • • • • • • • • • • • • • • • • • •	esently zoned	RC5
This Petition shall be filed with the owner(s) of the property situate in Bal		ts and Developmen	t Management. T	
made a part hereof, hereby petition for	r a Variance from Section	on(s) 400 - 3 B	CZA TO PE	nmil A
PROPOSED ACCESSORY	structure itele	of 20 FT	· IN LIEU	OF THE
PROPOSED ACCESSORY S AMMITTED 15 FT (FOUL A GAMAGE			
of the zoning regulations of Baltimore of this petition form.	County, to the zoning l	aw of Baltimore Coun	ty, for the reasons	indicated on the back
Property is to be posted and advertise I, or we, agree to pay expenses of above regulations and restrictions of Baltimore C	d as prescribed by the Variance, advertising, po county adopted pursuant t	zoning regulations. sting, etc. and further a o the zoning law for Bal	ree to and are to be timore County.	bounded by the zoning
		I/We do solemnly of perjury, that I/we a is the subject of the	re the legal owner(s)	nder the penalties of of the property which
Contract Purchaser/Lessee:		<u>Legal Owner(s</u>	<u>):</u>	
		1 STEPHEN	B. CHIMU	tman)
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Address	Telephone No.	Name - Type or Print		
City State	Zip Code	Signature /38/0 /	2	410.817.40
Attorney For Petitioner:		Address Baldwin	Md. 2	Telephone No.
Name - Type or Print		City	Star	te Zip Code
Signature		Representative	e to be Contacte	<u>ed:</u>
Company		Name		
Address	Telephone No.	Address		Telephone No.
City State	Zip Code	City	Stat	e Zip Code
A Public Hearing having been formally denthis day of regulations of Baltimore County and that the pro-	that the subject matter of the	required, it is ordered b nis petition be set for a put	y the Zoning Commiss lic hearing, advertised,	ioner of Baltimore County, as required by the zoning
		7.0	mmleslanes of Dell'	Combi
<u>_</u>	-	Zoning Cor	nmissioner of Baltimore	Gounty

Estimated Posting Date



My PARCHELL DIFFICURTY FOR REQUESTIVE VARIANCE IS AS FOLLOWS

- 1) MY EXISADL HOME DOES NOT HAVE ADAGUARE ATTIL SPACE. THE UNFINISH MEN ABOVE THE NEW PROPOSER 6MILL IS TO SERVE TURS PURPOSE
- 2) THE COST OF 357000 IS BENJE PAID SO THE Anchitectual FIJISHED PROJECT MATCHES THE EXISADE Ancilorecture of my Home. THE ADDITION they HT REQUESTED QUES my proposon garros à marcol To THE EXISTS HOME. (NOOF PIRH)
- 3) my BASEMEUT IS CLUBED THENETENE I CAN NOT USE IT FUL STURBLE, WITH my grown Framery WE NEED THE MODIRONAL SPACE PROSPORTS IN NEW Smurrus _



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 NEW PROPOSERS GAMESE IS TO SERVE THIS PURPOSE
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- 3) MY BASEMENT IS CLUBED THEREFORE I COND NOT USE IT FOR STORAGE, WITH MY GROWN FRAMELY WE NEED THE MODIFINAT SPACE PROSMOTO IN NEW SMULTONE

ZONING DESCRIPTION FOR 13810 ANSARI LANE

BEGINING AT A POINT ON THE NORTH SIDE OF ANSARI LANE WHICH IS 50.'
WIDE AT A DISTANCE OF 880' NORTH OF THE CNTERLINE OF CARROLL
MANOR RD WHICH IS 60' WIDE. BEING LOT NUMBER 6 BLOCK B IN THE
SUBDIVISION OF LOCUST HILL AS RECORDED IN BALTIMORE COUNTY
PLAT BOOK #25 FOLIO #5 CONTAINING 32670.00 SQUARE FEET. ALSO
KNOW AS 13810 ANSARI LANE AND LOCATED IN THE 10TH ELECTION
DISTRICT, 6TH COUNCILMANIC DISTRICT.

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FOR:	RV FILIN	16-	99	312-A	
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CERTIFICATE POSTING

ADMIN

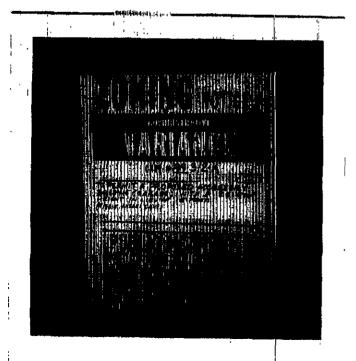
RE: Case No.:	99-312-1
Petitioner/De	veloper: CHURCHMAN, ETAL
The state of the s	2/0/00
Date of Heari	ing/Closing: 3/8/99

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the pena were posted conspicuously on the pro	Ities of perjury that the necessary sign(s) required by law operty located at #13810 ANSALI LA.
The sign(s) were posted on	2/20/99 (Month. Day, Year)



Sincerely,

PATRICK M. O'KEEFE (Printed Name)

PENNY LANE

(Address)

HUNT VALLEY, MD. 21030 (City, State, Zip Code)

410-666:5366; CELL: 410:905:8571 (Telephone Number)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99- 312 -A Address	
Contact Person: J LEWIS Planner, Please Print Your Name Phone Number: 410-887	-3391
Filing Date: $\frac{2/1/99}{99}$ Posting Date: $\frac{2/1/99}{99}$ Closing Date: $\frac{3/8}{9}$	99
any contact made with this office regarding the status of the administrative variance shount or the contact person (planner) using the case number.	ld be
POSTING/COST: The petitioner must use one of the sign posters on the approved list (converse side of this form) and the petitioner is responsible for all printing/posting costs. reposting must be done only by one of the sign posters on the approved list and the petitis again responsible for all associated costs. The zoning notice sign must be visible of property on or before the posting date noted above. It should remain there through the codate.	tioner on the
DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet a formal request for a public hearing. Please understand that even if there is no frequest for a public hearing, the process is not complete on the closing date.	to file ormal
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zonmissioner. He may: (a) grant the requested relief; (b) deny the requested relief; order that the matter be set in for a public hearing. You will receive written notifi (typically within 7 to 10 days of the closing date) as to whether the petition has been gradenied, or will go to public hearing. The order will be mailed to you by First Class mail.	or (c) cation
POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public he (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property muchanged giving notice of the hearing date, time and location. As when the sign was originated, certification of this change and a photograph of the altered sign must be forward this office.	ist be ginally
(Detach Along Dotted Line)	
Petitioner: This Part of the Form is for the Sign Poster Only	
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT	•
Case Number 99-3/2 -A Address 138/0 ANSARI LA	
Petitioner's Name <u>Steve+ LISA CHORCHMAN</u> Telephone 3/2/90/410/81	<u>14038</u>
Posting Date: 2/21/99 Closing Date: 3/8/99	
Vording for Sign: To Permit A PROPOSED ACCESSORY BUILDING GARAGE	
WITH A DOFT, HT. IN LIEU OF 15 FT.	
WCR - Revise	17/0/00
AACU - Lealige	114190

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

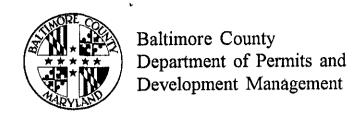
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 312 Petitioner: STEPHEN CHUNCHMAN
Address or Location: 13810 ANSAMI LANE
PLEASE FORWARD ADVERTISING BILL TO: Name:
Address: 13810 ANSAMI LAWE
BANNIS MD 21013
Telephone Number: 410 - 817 - 4038

Revised 2/20/98 - SCJ

99.312.A



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

March 8, 1999

Mr. & Mrs. Stephen Churchman 13810 Ansari Lane Baldwin, MD 21013

RE: Case No.: 99-312-A

Petitioner: Mr. & Mrs. Churchman Location: 13819 Ansari Lane

Dear Mr. & Mrs. Churchman:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on February 11, 1999.

consists which Advisory Committee (ZAC), The Zoning representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W Carl Richards, Jr.

Zoning Supervisor Zoning Review

WCR:ggs

Enclosures





Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 2.19.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 312

JLL

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

La Michael M. Lenhart, Acting Chief

Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Permits and Development Management

DATE:

FROM:

R. Bruce Seeley, Project Manager

Development Coordination

DEPRM

SUBJECT:

Zoning Advisory Committee

Distribution Meeting Date: 2/22/99

The Department of Environmental Protection and Resource Management has **no comments** for the following Zoning Advisory Committee Items:

Item #'s:

COUNTY, BALTIMORE MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: March 19, 1999

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for February 29, 1999

Item Nos. 305, 306, 307, 308, 309,

310, (312), and 313

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comment.

RWB:HJO:jrb

cc: File

A.V. 3/8

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: February 23, 1999

TO: Arnold Jablon, Director

Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

ITEM NO. 312

The Office of Planning supports the applicant's request subject to the following condition:

The petitioners or subsequent owners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The structure shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: geffry W'Lang

AFK/JL



Dun



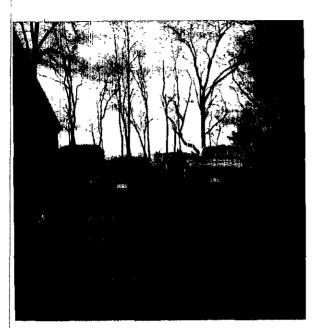
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